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COMMISSION

2015 NOV 24 PM 3: 29

Lofton Island GP, LLC
Lofton Island Developments GP LLC
3040 Oasis Grand Boulevard
Fort Myers, FL 33916

November 19, 2015

OFFICE OF GENERAL
COUNSEL

Federal Election Commission
Office of Complaints Examination &
Legal Administration
Attn: Frankie Hampton, Paralegal
Attn: Jeff Jordan
By e-mail
jjordan@fec.gov
fhampton@fec.gov

RE: MUR 6976

Dear Mr. Jordan:

The following is the response to the complaint filed in MUR 6976 on behalf of the following three Florida entities:

Lofton Island Developments LLLP
Lofton Island GP LLC
Lofton Island Holdings LLLP

I am providing this response in my capacity as Manager of Lofton Island GP LLC, the general partner of Lofton Island Holdings LLLP and as President of Lofton Island Developments GP LLC, the general partner of Lofton Island Developments LLLP. I have personal knowledge of all statements made in this response.

The three Lofton entities listed above were all properly formed in the State of Florida as Florida entities and are presently in good standing with the State of Florida. See attached six (6) appendixes for incorporation and related documentation.

The three Lofton entities primarily operate in the State of Florida and at their administrative office located at The Oasis, 3040 Oasis Grand Boulevard, Fort Myers, Florida 33916. Their primary business purpose is to own and operate the highrise development known as the Oasis in the City of Fort Myers. The Oasis is approved for 5 highrise towers. Two towers have been built; the property is entitled for three more towers to be built. The property also includes a boat ramp open to the public, a special event rental facility, recreational facilities, and future development sites.

Lofton Island Holdings LLLP owns and manages 229 residential units in one of the two towers at the Oasis, offers them out for rent, and operates off of the rental income.

Lofton Island Developments LLLP owns and manages the remaining property that comprises The Oasis community in Fort Myers, Florida, including a facility rented out for various events such as weddings, and operates off of the rental income.

The Lofton entities do much business in the City of Fort Myers and the Oasis project and its future phases have been before the Fort Myers City Council for approvals while the Lofton entities have had ownership. The Oasis is located in Councilman Street's ward, Ward 2.

This is the first Ward 2 election that has occurred since the Lofton entities purchased the Oasis property/development. Neighboring developers also contributed to Councilman Street's re-election campaign.

The Lofton entities employ 8 United States citizens at their offices in the State of Florida. They maintain bank accounts at TD Bank in Miami. The funds contributed to Councilman Street's re-election campaign were from those Miami bank accounts. Said funds were from income generated in the State of Florida and not financed by any of the foreign owners.

In late August, the Lofton entities each contributed \$1000 to Councilman Street's re-election. None of the owners or employees affiliated with the Lofton entities was aware that there might be issues with the contributions, since they were from the domestic Florida entities and their operations in Fort Myers. The three checks were made in good faith by the three Florida entities.

In October, there was a story in the Fort Myers paper, the NewsPress, that there may be issues with the contributions. We were not aware of any potential issues until after that story was published. Within a few days, Councilman Streets visited the administrative office at the Oasis and delivered refund checks. The refund checks were accepted and have been deposited. The return of the funds ended our review of the matter.

Please let me know if we can provide any further information.

Best regards,



Neil Morley

Manager

Lofton Island GP LLC

Appendixes (6)



**FLORIDA DEPARTMENT OF STATE
Division of Corporations**

December 23, 2010

**KATIE WONSCH
CORPDIRECT AGENTS
TALLAHASSEE, FL**

The Articles of Organization for LOFTON ISLAND GP LLC were filed on December 23, 2010, and assigned document number L10000130858. Please refer to this number whenever corresponding with this office.

The certification you requested is enclosed.

To maintain "active" status with the Division of Corporations, an annual report must be filed yearly between January 1st and May 1st beginning in the year following the file date or effective date indicated above. If the annual report is not filed by May 1st, a \$400 late fee will be added. It is your responsibility to remember to file your annual report in a timely manner.

A Federal Employer Identification Number (FE/EIN) will be required when this report is filed. Contact the IRS at 1-800-829-4933 for an SS-4 form or go to www.irs.gov.

Please be aware if the limited liability company address changes, it is the responsibility of the limited liability to notify this office.

Should you have any questions regarding this matter, please contact this office at the address given below.

**Buck Kohr
Regulatory Specialist II
Registration/Qualification Section
Division of Corporations**

Letter Number: 410A00029739

www.sunbiz.org

Division of Corporations - P.O. BOX 6327 -Tallahassee, Florida 32314

①

State of Florida



Department of State

I certify the attached is a true and correct copy of the Articles of Organization of LOFTON ISLAND GP LLC, a limited liability company organized under the laws of the state of Florida, filed on December 23, 2010, as shown by the records of this office.

The document number of this limited liability company is L10000130858.



CR2E022 (01-07)

Given under my hand and the
Great Seal of the State of Florida
at Tallahassee, the Capital, this the
Twenty-third day of December, 2010

Dawn K. Roberts
Dawn K. Roberts
Secretary of State

**ARTICLES OF ORGANIZATION
OF
LOFTON ISLAND GP LLC**

(a Florida limited liability company)

Pursuant to Florida Statutes §608.407, the undersigned hereby submits the following Articles of Organization of LOFTON ISLAND GP LLC for the purpose of forming a limited liability company under the laws of the State of Florida as of December 23, 2010:

ARTICLE I.

Name

The name of the Limited Liability Company is "Lofton Island GP LLC" (the "Company").

ARTICLE II.

Principal Office

The mailing address and street address of the principal office of the Company is: 912 Channelside Drive, Tampa, Florida 33602.

ARTICLE III.

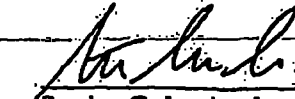
Registered Agent

The name of the initial registered agent of the Company is NRAI Services, Inc., and the street address of the Company's initial registered agent is 2731 Executive Park Drive, Suite 4, Weston, Florida 33331.

[SIGNATURE ON THE FOLLOWING PAGE]

FILED
SECRETARY OF STATE
DIVISION OF CORPORATE FILINGS
10 DEC 23 PM 3:14

IN WITNESS WHEREOF, the undersigned authorized representative has executed these
Articles of Organization.


Stanley G. Jacobs, Jr.
Authorized Representative

1100444071

Acceptance of Appointment of Registered Agent.

NRAI SERVICES, INC., having been named the Registered Agent of LOFTON ISLAND GP LLC, hereby accepts such designation and is familiar with, and accepts, the obligations of such position, as provided in Chapter 608 of Florida Statutes.

NRAI SERVICES, INC.

By:

Katie Wonsch

Name: Katie Wonsch

Title: Assistant Secretary

Date: 12/23/2010



DEPARTMENT OF THE TREASURY
INTERNAL REVENUE SERVICE
CINCINNATI OH 45999-0023

Date of this notice: 01-25-2011

Employer Identification Number:
27-4648638

Form: SS-4

Number of this notice: CP 575 B

LOFTON ISLAND GP LLC
% HILLSBOROUGH CHANNEL II LLC MBR
912 CHANNELSIDE DR
TAMPA, FL 33602

For assistance you may call us at:
1-800-829-4933

IF YOU WRITE, ATTACH THE
STUB AT THE END OF THIS NOTICE.

WE ASSIGNED YOU AN EMPLOYER IDENTIFICATION NUMBER

Thank you for applying for an Employer Identification Number (EIN). We assigned you EIN 27-4648638. This EIN will identify you, your business accounts, tax returns, and documents, even if you have no employees. Please keep this notice in your permanent records.

When filing tax documents, payments, and related correspondence, it is very important that you use your EIN and complete name and address exactly as shown above. Any variation may cause a delay in processing, result in incorrect information in your account, or even cause you to be assigned more than one EIN. If the information is not correct as shown above, please make the correction using the attached tear off stub and return it to us.

Based on the information received from you or your representative, you must file the following form(s) by the date(s) shown.

Form 1065

04/15/2011

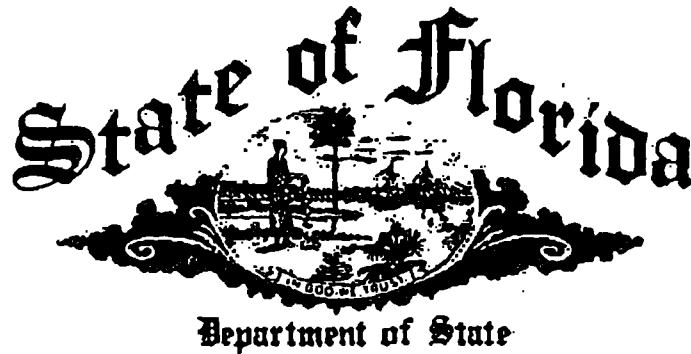
If you have questions about the form(s) or the due date(s) shown, you can call us at the phone number or write to us at the address shown at the top of this notice. If you need help in determining your annual accounting period (tax year), see Publication 538, *Accounting Periods and Methods*.

We assigned you a tax classification based on information obtained from you or your representative. It is not a legal determination of your tax classification, and is not binding on the IRS. If you want a legal determination of your tax classification, you may request a private letter ruling from the IRS under the guidelines in Revenue Procedure 2004-1, 2004-1 I.R.B. 1 (or superseding Revenue Procedure for the year at issue). Note: Certain tax classification elections can be requested by filing Form 8832, *Entity Classification Election*. See Form 8832 and its instructions for additional information.

A limited liability company (LLC) may file Form 8832, *Entity Classification Election*, and elect to be classified as an association taxable as a corporation. If the LLC is eligible to be treated as a corporation that meets certain tests and it will be electing S corporation status, it must timely file Form 2553, *Election by a Small Business Corporation*. The LLC will be treated as a corporation as of the effective date of the S corporation election and does not need to file Form 8832.

To obtain tax forms and publications, including those referenced in this notice, visit our Web site at www.irs.gov. If you do not have access to the Internet, call 1-800-829-3676 (TTY/TDD 1-800-829-4059) or visit your local IRS office.

2



I certify the attached is a true and correct copy of the Certificate of Limited Partnership of LOFTON ISLAND DEVELOPMENTS LLLP, a Limited Partnership or Limited Liability Limited Partnership organized under the laws of the state of Florida, filed on June 20, 2013, as shown by the records of this office.

I further certify the document was electronically received and filed under FAX audit number H13000140544. This certificate is issued in accordance with section 15.16, Florida Statutes, and authenticated by the code noted below.

The document number of this limited partnership is A13000000326.

Authentication Code: 713A00015521-062013-A13000000326-1/1

Given under my hand and the
Great Seal of the State of Florida,
at Tallahassee, the Capital, this the
Twentieth day of June, 2013



Ken Detzner
Ken Detzner
Secretary of State

3

June 20, 2013

LOFTON ISLAND DEVELOPMENTS LLLP
84 CHAIN LAKE DRIVE, SUITE 500
HALIFAX, NOVA SCOTIA
CANADA B3S 1A2, XX

The Certificate of Limited Partnership of LOFTON ISLAND DEVELOPMENTS LLLP, a Florida limited partnership or limited liability limited partnership was filed on June 20, 2013 and assigned document number A13000000326. Please refer to this number whenever corresponding with this office.

The certification you requested is enclosed. To be official, the certification for a certified copy must be attached to the original document that was electronically submitted and filed under FAX audit number H13000140544.

To maintain "active" status with the Division of Corporations, an annual report must be filed yearly between January 1st and May 1st beginning in the year following the file date or effective date indicated above. If the annual report is not filed by May 1st, a \$400 late fee will be added. It is your responsibility to remember to file your annual report in a timely manner.

A Federal Employer Identification Number (FEI/EIN) will be required when this report is filed. Contact the IRS at 1-800-829-4933 for an SS-4 form or go to www.irs.gov.

Please be aware if the limited partnership address changes, it is the responsibility of the limited partnership to notify this office.

Should you have any further questions concerning this matter, please contact this office at the address given below.

Buck Kohr
Regulatory Specialist II
Registration/Qualification Section
Division of Corporations

Letter Number: 713A00015521

17044405134

CERTIFICATE OF LIMITED PARTNERSHIP
OF
LOFTON ISLAND DEVELOPMENTS LLLP

The undersigned hereby makes and files with the Florida Department of State this Certificate of Limited Partnership for the purpose of forming a limited liability limited partnership in accordance with the Florida Revised Uniform Limited Partnership Act of 2005.

1. **Name.** The name of the limited liability limited partnership is Lofton Island Developments LLLP (the "Partnership").

2. **Initial Designated Office.** The street and mailing address of the initial designated office of the Partnership is 84 Chain Lake Drive, Suite 500, Halifax, Nova Scotia, Canada B3S 1A2.

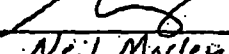
3. **Registered Agent.** The name of the Partnership's initial registered agent is Michael A. Ryan and his street address is 215 N. Eola Drive, Orlando, Florida 32801.

4. **Name and Business Address of the Sole General Partner.** The name of the sole general partner of the Partnership is Lofton Island Developments GP LLC, a Florida limited liability company. The business address of the sole general partner of the Partnership is 84 Chain Lake Drive, Suite 500, Halifax, Nova Scotia, Canada B3S 1A2.

5. **Limited Liability Limited Partnership.** The Partnership is a limited liability limited partnership.

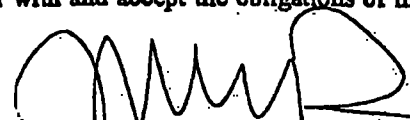
IN WITNESS WHEREOF, the undersigned sole general partner of the Partnership has executed this Certificate of Limited Partnership this 19th day of June, 2013.

**LOFTON ISLAND DEVELOPMENTS GP
LLC, a Florida limited liability company**

By: 
Name: Neil Morley
Title: President

ACCEPTANCE OF REGISTERED AGENT

I hereby accept the appointment as registered agent and agree to act in this capacity. I further agree to comply with the provisions of all statutes relative to the proper and complete performance of my duties, and I am familiar with and accept the obligations of my position as registered agent.


Michael A. Ryan, Registered Agent

Florida Department of Revenue
IREG Certificate Number Retrieval

Search Results

Lofon Island Developments LLLP

3040 OASIS GRAND BLVD
Fort Myers FL 33916-1520

The *Florida Business Tax Application* you submitted online has been approved.
Your certificate/account number(s):

• Sales & Use Tax Certificate Number : 46-8016586521-2

You will receive certificates of registration or other official notification by mail within ten days. If you registered for sales and use tax or communications services tax and need to make resale purchases before receipt of certificates, your suppliers may use the Department's resale certificate verification system at <https://suntax.state.fl.us/crl/portal/anonymous>, or may call 877-FL RESALE (877-357-3725) to obtain a transaction authorization code for your resale purchases.

Comments:

If you did not enroll in the e-Services program to file and pay taxes electronically when you registered, you may wish to do so. Learn more about e-Services at <http://dor.myflorida.com/dor>.

A start-up kit for new business owners is available for you to view, download or print.

If you are interested in becoming a Florida Lottery Retailer, learn more at <https://www.flalottery.com/site/retailers.do>.

If you require further assistance, you may call or visit your local taxpayer service center:

FORT MYERS SERVICE CENTER
2295 VICTORIA AVE STE 270
FORT MYERS FL 33901-3871
239-338-2400

You may also call Taxpayer Services at 800-352-3671. Telephones are staffed from 8:00 a.m. to 5:00 p.m., ET, Monday through Friday.

[Restart Search](#)[Print Page](#)[Close Window](#)

4



**FLORIDA DEPARTMENT OF STATE
Division of Corporations**

December 23, 2010

**KATIE WONSCH
CORPDIRECT AGENTS
TALLAHASSEE, FL**

The Certificate of Limited Partnership of LOFTON ISLAND HOLDINGS LLLP, a Florida limited partnership or limited liability limited partnership was filed on December 23, 2010 and assigned document number A10000000856. Please refer to this number whenever corresponding with this office.

The certification you requested is enclosed.

To maintain "active" status with the Division of Corporations, an annual report must be filed yearly between January 1st and May 1st beginning in the year following the file date or effective date indicated above. If the annual report is not filed by May 1st, a \$400 late fee will be added. It is your responsibility to remember to file your annual report in a timely manner.

A Federal Employer Identification Number (FEI/EIN) will be required when this report is filed. Contact the IRS at 1-800-829-4933 for an SS-4 form or go to www.irs.gov.

Please be aware if the limited partnership address changes, it is the responsibility of the limited partnership to notify this office.

Should you have any further questions concerning this matter, please contact this office at the address given below.

**Buck Kohr
Regulatory Specialist II
Registration/Qualification Section
Division of Corporations**

Letter Number: 510A00029739

www.sunbiz.org

Division of Corporations - P.O. BOX 6327 -Tallahassee, Florida 32314

5

State of Florida



Department of State

I certify the attached is a true and correct copy of the Certificate of Limited Partnership of LOFTON ISLAND HOLDINGS LLLP, a Limited Partnership or Limited Liability Limited Partnership organized under the laws of the state of Florida, filed on December 23, 2010, as shown by the records of this office.

The document number of this limited partnership is A10000000856.

Given under my hand and the
Great Seal of the State of Florida
at Tallahassee, the Capital, this the
Twenty-third day of December, 2010



CR2E022 (01-07)

Dawn K. Roberts
Dawn K. Roberts
Secretary of State

FILED
SECRETARY OF STATE
10 DEC 23 PM 3:17

**CERTIFICATE OF LIMITED PARTNERSHIP OF
LOFTON ISLAND HOLDINGS LLLP
(a Florida limited liability limited partnership)**

Pursuant to the provisions of Section 620.1201 of the Florida Statutes, the undersigned, being the sole General Partner of Lofton Island Holdings LLLP, hereby duly executes and files with the Florida Department of State this Certificate of Limited Partnership.

1. The name of the limited partnership is Lofton Island Holdings LLLP (the "Limited Partnership").

2. The street and mailing address of the Limited Partnership's initial designated office in the State of Florida is 912 Channelside Drive, Tampa, Florida 33602.

3. The name of the Limited Partner's initial registered agent is NRAI Services, Inc. and the street address of the initial registered agent is 2731 Executive Park Drive, Suite 4, Weston, Florida 33331.

4. The name of the Limited Partnership's sole general partner is Lofton Island GP LLC, and the business address of such general partner is 912 Channelside Drive, Tampa, Florida 33602.

5. The Limited Partnership shall be a limited liability limited partnership.

[SIGNATURE ON THE FOLLOWING PAGE]

IN WITNESS WHEREOF, the sole General Partner of has executed the foregoing
Certificate of Limited Partnership in accordance with Section 620.1204 of the Florida Statutes.

LOFTON ISLAND GP LLC

By: Stanley Jacobs Jr.
Name: Stanley Jacobs Jr.
Title: Authorized Representative

170044403104

Acceptance of Appointment of Registered Agent

Having been named the statutory registered agent of Lofton Island Holdings LLLP, at the place designated in the foregoing Certificate of Limited Partnership of Lofton Island Holdings LLLP, I hereby accept such designation and confirm that I am familiar with and agree to accept the obligations imposed by §620.1114 of the Florida Statutes and I agree to comply with the provisions of Florida Law relative to keeping the registered office open.

NRAI SERVICES, INC.

By: Katie Wonsch

Name: Katie Wonsch

Title: Assistant Secretary

Date: 12/23/2010

114115044407



DEPARTMENT OF THE TREASURY
INTERNAL REVENUE SERVICE
CINCINNATI OH 45999-0023

Date of this notice: 01-25-2011

Employer Identification Number:
27-4648759

Form: SS-4

Number of this notice: CP 575 B

LOFTON ISLAND HOLDINGS LLLP
% LOFTON ISLAND GP LLC GEN PTR
912 CHANNELSIDE DR
TAMPA, FL 33602

For assistance you may call us at:
1-800-829-4933

IF YOU WRITE, ATTACH THE
STUB AT THE END OF THIS NOTICE.

WE ASSIGNED YOU AN EMPLOYER IDENTIFICATION NUMBER

Thank you for applying for an Employer Identification Number (EIN). We assigned you EIN 27-4648759. This EIN will identify you, your business accounts, tax returns, and documents, even if you have no employees. Please keep this notice in your permanent records.

When filing tax documents, payments, and related correspondence, it is very important that you use your EIN and complete name and address exactly as shown above. Any variation may cause a delay in processing, result in incorrect information in your account, or even cause you to be assigned more than one EIN. If the information is not correct as shown above, please make the correction using the attached tear off stub and return it to us.

Based on the information received from you or your representative, you must file the following form(s) by the date(s) shown.

Form 1065

04/15/2011

If you have questions about the form(s) or the due date(s) shown, you can call us at the phone number or write to us at the address shown at the top of this notice. If you need help in determining your annual accounting period (tax year), see Publication 538, *Accounting Periods and Methods*.

We assigned you a tax classification based on information obtained from you or your representative. It is not a legal determination of your tax classification, and is not binding on the IRS. If you want a legal determination of your tax classification, you may request a private letter ruling from the IRS under the guidelines in Revenue Procedure 2004-1, 2004-1 I.R.B. 1 (or superseding Revenue Procedure for the year at issue). Note: Certain tax classification elections can be requested by filing Form 8832, *Entity Classification Election*. See Form 8832 and its instructions for additional information.

A limited liability company (LLC) may file Form 8832, *Entity Classification Election*, and elect to be classified as an association taxable as a corporation. If the LLC is eligible to be treated as a corporation that meets certain tests and it will be electing S corporation status, it must timely file Form 2553, *Election by a Small Business Corporation*. The LLC will be treated as a corporation as of the effective date of the S corporation election and does not need to file Form 8832.

To obtain tax forms and publications, including those referenced in this notice, visit our Web site at www.irs.gov. If you do not have access to the Internet, call 1-800-829-3676 (TTY/TDD 1-800-829-4059) or visit your local IRS office.

6

